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## **FACSIMILE TRANSMITTAL SHEET**

**DATE:** September 16, 2004

**TO:** Examiner: Elahee, MD S. Group Art Unit: 2645

**COMPANY:** United States Patent and Trademark Office

**FACSIMILE NO:** 703-872-9306

**FROM:** H. Artoush Ohanian, Reg. No. 46,022

**RE:** After Final OA: Confirmation of Telephone Interview with Examiner: Date: 9/21/2004; Time: 9:00 am CST; Entitled: Intermediary Device Initiated Caller Identification  
Atty. Docket No.: AUS920010819US1 (10019)

**SERIAL NO.:** 10/015,281

**NUMBER OF PAGES:** (Including Cover) 4

**COMMENTS:** Please see attached.

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<p><i>September 16, 2004</i></p>	
<p><small>Date</small></p>	

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In re Application of:  
Michael Wayne Brown, *et al.*

§  
§ Group Art Unit: 2645

Serial No.: 10/015,281

§  
§ Examiner: Elahee, MD S.

Filed: December 12, 2001

§  
§ Atty Docket No.: AUS920010819US1

Title: Intermediary Device Initiated Caller  
Identification

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO at 703-872-9306 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:	
Date	September 16, 2004
	<i>Catherine Berglund</i>
	Catherine Berglund

**CONFIRMATION OF TELEPHONE INTERVIEW WITH EXAMINER**

**DATE: SEPTEMBER 21, 2004; TIME: 9:00 A.M. CST**

Applicants' attorney, H. Artoush Ohanian, confirms the scheduled telephone interview on **September 21, 2004, at 9:00 a.m. CST** with Examiner Elahee to discuss the Final Office Action dated August 12, 2004. More particularly, Artoush Ohanian provides the following case history and current case status for Examiner Elahee's convenience and discussion during the telephone interview:

Claim 1 claims:

1. A method for externally identifying a particular caller, said method comprising:

AUS920010819US1  
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receiving a voice utterance for a caller at a server external to a trusted telephone network;  
and

identifying a caller identity associated with said voice utterance at said server, such that  
said caller identity is transmittable within said trusted telephone network as an  
authenticated identity of said caller for a call.

### History of the Prosecution

In a first office action dated April 23, 2003, claims 1-5, 7, 9-14, 16, 18-21, 52, and 53 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Bartholomew *et al.* (U.S. Patent No. 6,167,119). Claims 6, 8, 15, and 17 stood rejected under 35 U.S.C. § 103(a) as being unpatentable over Bartholomew in view of Stumer or Yoon. In a response filed July 16, 2003, it was demonstrated that Bartholomew, Stumer, or Yoon, alone or in combination, do not teach each and every element of claims 1-21, 52, and 53.

In a second office action dated October 8, 2003, claims 1-3, 5-7, 9-12, 14-16, 18-20, 52, and 53 were rejected under 35 U.S.C. § 102(e) as being anticipated by McAllister *et al.* (U.S. Patent No. 6,442,242). Claims 4, 13, and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McAllister (U.S. Patent No. 6,442,242) in view of Bartholomew (U.S. Patent No. 6,167,119). In a response filed December 19, 2003, it was agreed that McAllister does not anticipate claims 1-3, 5-7, 9-12, 14-16, 18-20, 52, and 53 and the combination of McAllister and Bartholomew cannot establish a *prima facie* case of obviousness. That is, McAllister describes telephone auto attendant systems including a telephone directory for routing calls to a subscriber by receiving the spoken name of a called party, retrieving a telephone number for that called party and forwarding the telephone number of the called party to a PBX to complete the call. McAllister does not disclose "externally identifying a particular caller" including "receiving a voice utterance for a caller at a server external to a trusted telephone network..." McAllister does not address trusted and untrusted telephone networks or externally identifying a particular caller.

AUS920010819US1

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**Current Status:**

Claims 1-3, 5-7, 9-12, 14-16, 18-20, 52, and 53 are rejected under 35 U.S.C. § 102(e) as being anticipated by McAllister *et al.* (U.S. Patent No. 6,442,242). Claims 4, 13, and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over McAllister (U.S. Patent No. 6,442,242) in view of Bartholomew (U.S. Patent No. 6,167,119).

**Issues for Discussion:**

Does McAllister alone or in combination with Bartholomew disclose each and every element of the claims in the present case?

Does McAllister in view of Bartholomew establish a *prima facie* case of obviousness?

Should Examiner Elahee become unavailable for the scheduled telephone interview on September 21, 2004 at 9:00 am CST, Applicants respectfully request that Examiner Elahee contact Artoush Ohanian at (512) 472-9881 to reschedule the telephone interview.

Respectfully submitted,

Date: 9.16.04

By:

  
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